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Attorneys for Plaintiff
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

U.S. EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

vs.)

LUCINDA MANAGEMENT, LLC,)
CENTENNIAL FOOD CORPORATION dba)
IHOP RESTAURANT, NELLIS FOOD)
CORPORATION dba IHOP RESTAURANT,)
VEGAS FOOD CORPORATION dba IHOP)
RESTAURANT, CHEYENNE FOOD)
CORPORATION dba IHOP RESTAURANT,)
CRAIG FOOD CORPORATION dba IHOP)
RESTAURANT, BAYSHORE FOOD)
CORPORATION dba IHOP RESTAURANT,)
DiHOP CORPORATION dba IHOP)
RESTAURANT, COOPER STREET CLAM &)
OYSTER BAR, LLC, and Does 1-5 Inclusive,)

Defendant.)

Case No.: 2:17-cv-02458-MMD-GWF

**NOTICE OF RESTORATION OF
FUNDING TO THE FEDERAL
GOVERNMENT AND REOPENING OF
THE EEOC AND UNOPPOSED MOTION
TO LIFT STAY AND RESET
DEADLINES**

1 On December 26, 2018, Plaintiff Equal Employment Opportunity Commission
2 (“EEOC”) filed an unopposed motion to stay this litigation and extend all deadlines due to the
3 shutdown of operations of the Federal Government and lapse in appropriations (ECF No. 53).

4 On January 2, 2019, the Court granted the motion to stay this matter pending the
5 restoration of funding to the EEOC and extended all pending deadlines in this matter for the
6 same number of days as the EEOC’s lapse in appropriations.

7 On January 25, 2019, the President signed a continuing resolution restoring funding for
8 government operations through February 15, 2019. The EEOC has been reopened. EEOC now
9 files this notice and motion to inform the Court of the restoration of funding to the EEOC.

10 The only deadline currently applicable to this case is a deadline to file the finalized and
11 signed Consent Decree, previously set for January 11, 2019. Since the reopening of government
12 operations, counsel for EEOC and counsel for Defendants have spoken and agreed that the
13 previously imposed stay should lift and that the deadline to file the finalized consent decree
14 should be extended.

15 Accordingly, the EEOC respectfully requests that the stay in this matter be lifted and a
16 deadline of February 14, 2019 be set to file the signed consent decree. Although the EEOC
17 requested and the Court agreed to extend all deadlines by the same amount of time as the
18 government was shutdown (35 days), the EEOC proposes February 14, 2019 to file the signed
19 consent decree because the EEOC is currently only funded until February 15, 2019.

20
21 Respectfully submitted,

22 Dated: February 5, 2019

23 /s/ Sue Noh
24 Sue Noh
25 Supervisory Trial Attorney
26 U.S. EQUAL EMPLOYMENT
27 OPPORTUNITY COMMISSION
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COMMISSION,)
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RESTAURANT, COOPER STREET CLAM &)
OYSTER BAR, LLC, and Does 1-5 Inclusive,)

Defendant.)
)

**ORDER RE: NOTICE OF
RESTORATION OF FUNDING TO THE
FEDERAL GOVERNMENT AND
REOPENING OF THE EEOC AND
UNOPPOSED MOTION TO LIFT STAY
AND RESET DEADLINES**

1 **[PROPOSED] ORDER**

2 Upon Motion and good cause appearing,

3 **IT IS HEREBY ORDERED** that, in light of the reopening of the government following
4 a thirty-five (35) day lapse in appropriations, the parties will file settlement documents on or
5 before February 14, 2019.

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7 DATED this 6th day of February, 2019

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9 The Honorable Miranda M. Du
10 United States District Judge
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Defendant.)

Case No.: 2:17-cv-02458-MMD-GWF

CERTIFICATE OF SERVICE

**RE: NOTICE OF RESTORATION OF
FUNDING TO THE FEDERAL
GOVERNMENT AND REOPENING OF THE
EEOC AND UNOPPOSED MOTION TO LIFT
STAY AND RESET DEADLINES;
[PROPOSED] ORDER**

1 **CERTIFICATE OF SERVICE**

2 I am, and was at the time the herein mentioned mailing took place, a citizen of the United
3 States, over the age of eighteen (18) years and not a party to the above-entitled cause. I am
4 employed in the Legal Unit of the Los Angeles District Office of the United States Equal
5 Employment Opportunity Commission. My business address is U.S. Equal Employment
6 Opportunity Commission, 255 E. Temple Street, Fourth Floor, Los Angeles, California 90012.

7 On the date that this declaration was executed, as shown below, I served the foregoing
8 **NOTICE OF RESTORATION OF FUNDING TO THE FEDERAL GOVERNMENT AND**
9 **REOPENING OF THE EEOC AND UNOPPOSED MOTION TO LIFT STAY AND RESET**
10 **DEADLINES; [PROPOSED] ORDER** via the Case Management/Electronic Case Filing
11 (CM/ECF) system to:

12
13 Richard I. Dreitzer, Esq., Nevada Bar No. 6626
14 James T. Tucker, Esq., Nevada Bar No. 12507
15 Wilson, Elser, Moskowitz, Edelman & Dicker, LLP
16 300 South Fourth Street, Eleventh Floor
17 Las Vegas, NV 89101
18 (702)727-1400
19 Richard.dreitzer@wilsonelser.com
20 James.tucker@wilsonelser.com

21 I declare under penalty of perjury that the foregoing is true and correct. Executed on
22 February 5, 2019 at Los Angeles, CA.

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/s/ Sue Noh
Sue Noh